

**IN THE UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

In re: **MARIE LISSA CHARLES** : **5:22-bk-02309-MJC**  
 : Chapter 13  
 :  
 Debtor :

**OBJECTION FILED BY A POCONO COUNTRY PLACE PROPERTY OWNERS  
ASSOCIATION TO CONFIRMATION OF CHAPTER 13 PLAN**

Now comes A Pocono Country Place Property Owners Association, Inc. (the “Association”) and objects to confirmation of the above Debtor’s Chapter 13 plan, and in support thereof avers:

1. The plan cannot be confirmed since it fails to comply with 11 U.S.C. §1322, 11 U.S.C. §1325(a)(1), 11 U.S.C. §1325(a)(5)(B), L.B.R. 3015-4, for the reason that the Debtor has failed to properly take into consideration the Association’s full secured claim.
2. The Association has a security interest in the amount of \$39,43.52 in Debtor’s real property located in the A Pocono Country Place planned community, Coolbaugh Township, Monroe County, PA, via a statutory lien created pursuant to the Uniform Planned Community Act (“UPCA”), 68 Pa.C.S.A. § 5315.
3. Debtor’s plan, however, proposes to only pay \$6,000.00 to the Association for its secured claim.
4. The UPCA provides as follows: “(e) Limitation of actions. A lien for unpaid assessments is extinguished unless proceedings to enforce the lien or actions or suits to recover sums for which subsection (a) establishes a lien are instituted within four years after the assessments become payable.” Id.
5. In this case, the Association instituted actions to recover sums for which the statutory lien was established by filing collection cases against the Debtor on June 18, 2018, with the Monroe County Court of Common Pleas at Docket No. 4412 CV 2018.

6. Accordingly, the Association's lien covers all of the amounts set forth on in its Proof of Claim and Exhibit A.

WHEREFORE, the Plan should be amended to include the full amount of the Association's pre-petition UPCA lien.

YOUNG & HAROS, LLC

/s/ NICHOLAS CHARLES HAROS, ESQ

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 16, 2023, I electronically filed the foregoing  
Objection with the Clerk of the Court and served said Objection upon all counsel of record  
via the Court's electronic filing system:

Michael Patrick Farrington on behalf of Creditor New Residential Mortgage Loan Trust  
2018-1  
[mfarrington@kmlawgroup.com](mailto:mfarrington@kmlawgroup.com)

Timothy B. Fisher, II on behalf of Debtor 1 Marie Lissa Charles  
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YOUNG & HAROS, LLC

/s/ NICHOLAS CHARLES HAROS, ESQ  
NICHOLAS CHARLES HAROS, ESQ.